

Examiner-Initiated Interview Summary	Application No.	Applicant(s)
	09/682,699	BRITtain, JEAN HELEN
	Examiner	Art Unit
	Tiffany A Fetzner	2859

All Participants:

(1) Tiffany A Fetzner.

Status of Application: _____

(3) _____.

(2) J. Mark Wilkinson Reg. No. 48,865.

(4) _____.

Date of Interview: 26 May 2004

Time: 3pm

Type of Interview:

Telephonic
 Video Conference
 Personal (Copy given to: Applicant Applicant's representative)

Exhibit Shown or Demonstrated: Yes No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Status of the double patenting rejections, the rejections of Hajnal, the antecedent basis objection to claim 1

Claims discussed:

claims 1 and 22

Prior art documents discussed:

Hajnal anf the fact that claim 22 did not mention continuous motion in a first direction.

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
 It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner contacted applicant's attorney to request permission to do an examiner's amendment to the after-final claims of May 18th 2004, specifically claims 1, and 22 in order to place the application in condition for allowance. The examiner's amendment to claim 1 corrects an antecedent basis problem, while the amendment to claim 22 clarifies that the continuous repositioning without interruption of motion occurs "in the first direction". The examiner amendments are fully supported by the original disclosure and do not constitute new matter. The attorney agreed to the examiner's amendment, in order to place the application in condition for allowance. The examiner notified applicant that the double patenting rejections would be rescinded in this application, but that the double patenting rejections in child application 10/ 235,454 would now become formal double patenting rejections, as opposed to provisional double patenting rejections. The attorney indicated that he understood and expected that. The attorney also noted that due to the fact that the instant application and the child case are not commonly owned and not commonly assigned that he was aware that a terminal disclaimer would not overcome the double patenting rejections in the child case. The examiner was thanked for her time, in helping to place the instant application in condition for allowance. The updated prior art search of the May 18th 2004 after-final amendment indicated no new prior art, given that applicant has sworn behind the date of April 9th 2001 of the Kruger et al., reference. The May 18th 2004 after-final amendment has been marked okay to enter by the examiner. The drawings filed October 5th 2001 have been approved by the examiner. The examiner also notified the attorney that a PTO 948 form, from the official draftsperson would also be attached to the office action containing the examiner's amendment. Applicant agreed to resubmit NEW FORMAL drawings if the official draftsperson required new drawings.